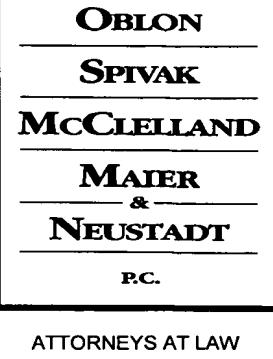




Docket No.: 218230US0X

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/045,049

Applicants: Monika OSWALD, et al.

Filing Date: January 15, 2002

For: A LAYER OBTAINED FROM AN AQUEOUS  
DISPERSION CONTAINING A SILICON/TITANIUM  
MIXED OXIDE POWDER PREPARED BY FLAME-  
HYDROLYSIS

Group Art Unit: 1775

Examiner: Stein

SIR:

Attached hereto for filing are the following papers:

**Response to Notice of Non-Compliant Amendment**

**Copy of 37 C.F.R. §1.121(c)(2)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Vincent K. Shier, Ph.D.

Registration No. 50,552

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Docket No. 218230US0X

1 FILED

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

Monika OSWALD, et al. : EXAMINER: STEIN

SERIAL NO: 10/045,049 :

FILED: JANUARY 15, 2002 : GROUP ART UNIT: 1775

FOR: A LAYER OBTAINED FROM AN AQUEOUS DISPERSION CONTAINING A  
SILICON/TITANIUM MIXED OXIDE POWDER PREPARED BY FLAME-  
HYDROLYSIS

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In response to the Notice of Non-Compliant Amendment mailed on July 16, 2004, Applicants wish to direct the Office's attention to the enclosed copy of 37 C.F.R. §1.121(c)(2) taken from the consolidated rules (Appendix R) appearing in the May 2004 revision of the MPEP. In the present application, Claims 18, 20, 31, and 33 are denoted "withdrawn; currently amended." According to 37 C.F.R. §1.121(c)(2) "If a withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn-currently amended.'" Therefore, Applicants note that the Amendment and Request for Reconsideration filed on July 7, 2004 is in full compliance with 37 C.F.R. §1.121.

Applicants request that the Office withdraw the Notice of Non-Compliant Amendment and pass the present application to examination without further delay.

Applicants submit that the present application is in condition for allowance. Early notification to this effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Vincent K. Shier, Ph.D.  
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